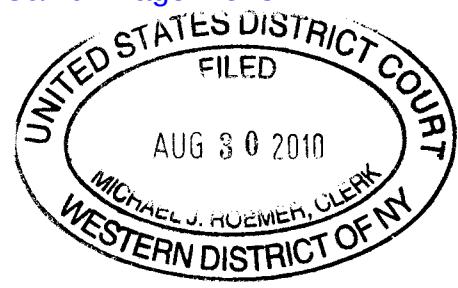


UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

**NAME OF PLAINTIFF**

Mahmoud Mahran

v.

NO. 10 CV 715 A(M)**NAME OF DEFENDANT**

Benderson Development Inc.

COMPLAINT

Comes now, Mahmoud Mahran Plaintiff, and files this complaint against Benderson Development Inc., referred hereafter as defendant, and for cause would show as follows:

1. Plaintiff is an adult resident of the Erie Country, NY
2. The plaintiff was an employee of the defendant at the defendant's regional office in Buffalo, NY from January 3rd of 2006 until September 4th 2007.
3. The defendant is a corporation registered to do business in the State of New York.
4. This action is brought under 29 USCS section 2601, the Family Leave Act, 42 USCS Section 12101 et seq., the American with Disability Act; 42 USCS Section 2000e-2 et seq. Title VII of The Civil rights Act of 1964 , the 14th Amendment of the United States Constitution and HIPPA regulations.

5. Plaintiff during his employment term was denied access to 401k benefit which he was entitled to after his first year of active employee status.
6. Plaintiff suffered religious and racial comments by the plaintiff's Chief Information Officer "Dave Hyzy"; referred hereafter as CIO the plaintiff's direct boss during his term of employment.
7. The plaintiff suffered harassment by his direct boss upon Plaintiff's application for short term disability during his employment term.
8. Upon Plaintiff's return to work on July 14, 2007 from his disability, plaintiff suffered humiliation from his peer workers about his injury; plaintiff finds out that the defendant's representative shared the plaintiff's details about his medical leave cause.
9. Upon Plaintiff's return to work on July 14, 2007 from his disability, plaintiff was denied light work schedule requested and was told by his direct boss that if he could not perform well he would be terminated.
10. The defendant willingly and intentionally shared Plaintiff medical leave cause with plaintiff's direct boss and coworkers who upon Plaintiff's returns from his medical leave made inappropriate comments and discussions.
11. As a result of continues harassment and humiliation by the defendant CIO plaintiff was resigned from his job as of September 4 of 2007.
12. Plaintiffs did notify human resource representative about his boss religious and racial comments but the defendant failed to make any action.

13. Plaintiff suffered extreme mental and emotional anguish as a result of the defendant lack of action making work environment a hostile one.

WHEREFORE, the plaintiff prays that the proper process issue to the defendant and that upon the hearing upon this Court grant a judgment for the plaintiff and against the defendant for any and all actual, special compensatory , and punitive damages to which this Honorable Court deems the plaintiff to be entitled, and for attorney fees, interest, court costs and any and all further relief under the applicable statuses and mentioned above to which this Honorable Court deems the plaintiff to be entitled.

The plaintiff further prays for the any and all such other and further relief which this Court may grant and which this Court feels the plaintiff to be entitled. Plaintiff demands that jury try its cause.

Plaintiff brings this action against defendants and demands judgment in the sum of \$500,000 compensatory damages and \$150,000 punitive damages and attorney fees all costs of these proceedings.

Respectfully submitted,
Mahmoud Mahran Pro Se
Tel (716)983-0751
